

DETAILED ACTION

The issue of previous rejection applied toward canceled claim 1-26 has been withdrawn due to an error pointed out by the Applicant's letter filed April 04, 2008.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 37, 38, 47 and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.
3. Claims 37 and 47, lines 2 and 3, recitation of "a degree of increase ... dependent upon a lamp type and/or a luminaire type" cause confusion since it draws three scenarios- firstly referring only to lamp type, secondly regarding merely to a luminaire type, thirdly dependent on both of the lamp type and the luminaire type.
4. Claims 38 and 48, lines 2 and 3, recitation of "an aging of the lamp and/or dirtying of the luminaire" suffer the similar defection as noted above since it also provides three scenarios.

Remarks

Since the current claims 27-52 having controlling claims 37, 38, 47 and 48 provide several scenarios those need to be clarified before applying a new restriction toward these claims 27-52. Therefore, a restriction, a merit of allowance indication or applying prior arts will be provided upon a response to this office action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyet Vo whose telephone number is 571 272 1830. The examiner can normally be reached on Mon-Wed and Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Owens can be reached on 571 272 1662. The fax phone numbers for the organization where this application or proceeding is assigned are 571 273 8300 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571 272 2800.

Information regarding the status of an application or status information for publishing/unpublishing applications may be obtained from the Patent Application Information Retrieval (PAIR) system, see <http://pair-direct.uspto.gov>. Should you have

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questions on access to the PAIR system, contact the Electronic Business Center (EBC) at toll free 866-217-9197.

/Tuyet Vo/

Primary Examiner, Art Unit 2821

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